

EXHIBIT 8

Thomas, Sean

From: Callas, Gretchen
Sent: Saturday, April 25, 2020 5:08 PM
To: Thomas, Sean
Subject: Fwd: MDL2804: opioid litigation

Follow Up Flag: Follow up
Flag Status: Flagged



From: Brysonlaw <brysonlaw@aol.com>
Sent: Friday, April 24, 2020 11:49:58 AM
To: paul@farrell.law <paul@farrell.law>; kbryson@cabellcounty.org <kbryson@cabellcounty.org>; tim.hazelett@chhdwv.gov <tim.hazelett@chhdwv.gov>
Cc: akearse@motleyrice.com <akearse@motleyrice.com>; Callas, Gretchen <GCALLAS@jacksonkelly.com>
Subject: Re: MDL2804: opioid litigation

EXTERNAL MESSAGE

Dear Mr. Farrell:

The Cabell Huntington Health Department (“CHHD”) considers itself to be a neutral entity in the ongoing litigation and likewise does not wish to be an obstacle to either party. As such, the Cabell Huntington Health Department (“CHHD”) approves option (c) - disclosure of the the electronic documents to the defendants in accordance with the protective order governing all discovery in this matter.

Thank you for your assistance in this matter.

Sincerely,

Kent L. Bryson, Assistant Prosecutor
Cabell County

-----Original Message-----

From: Paul Farrell <paul@farrell.law>
To: kbryson@cabellcounty.org <kbryson@cabellcounty.org>; tim.hazelett@chhdwv.gov <tim.hazelett@chhdwv.gov>; brysonlaw@aol.com <brysonlaw@aol.com>
Cc: Kearse, Anne <akearse@motleyrice.com>; 'Callas, Gretchen (GCALLAS@jacksonkelly.com)' <GCALLAS@jacksonkelly.com>; shammers@cabellcounty.org <shammers@cabellcounty.org>
Sent: Fri, Apr 17, 2020 10:25 am
Subject: MDL2804: opioid litigation

MDL2804: In re National Prescription Opiate Litigation

Cabell County Commission, et al. v. AmerisourceBergen Drug Corporation et al.

U.S.D.C. for the Southern District of West Virginia (Faber, J.)

Civil Action No. 3:17-01665

Mr. Bryson,

I received email correspondence from counsel for AmerisourceBergen Drug Corp. (ABDC) which advised me, for the first time, that the Cabell Huntington Health Department ("CHHD") declined my offer (below and attached) to provide a limited scope of representation to harvest, process, review and disclose documents relevant to the opioid litigation brought by the Cabell County Commission. ABDC is now demanding production.

As you know, the Cabell County Commission is a statutorily defined political subdivision within the State of West Virginia. W. Va. Code § 7-1-3 [1999]; W. Va. Code § 29-12A-3(c) [1986]; W. Va. Code § 14-2-3 [1967]; Kucera v. City of Wheeling, 153 W. Va. 531, 170 S.E.2d 217 (1969). The administrative and/or fiscal authority of the Cabell County Commission is set forth by West Virginia law. W. Va. Code § 7-7-7 [1999]; Burke v. Wetzel Cty. Comm'n, 240 W. Va. 709, 815 S.E.2d 520 (2018); see also Fury v. Cty. Court of Wood Cty., 608 F. Supp. 198 (S.D.W. Va. 1985). We interpret the code and case law to require the Cabell County Commission to provide legal representation for the following elected, constitutional officers for the county: Prosecutor, Sheriff, Circuit Clerk, County Clerk, and Assessor.

Initially, we determined the Cabell County Commission also possessed an agency relationship with the CHHD. We electronically harvested 100,000 documents and began the review process to respond to discovery requests. We processed, reviewed and disclosed approximately 25,000 documents before realizing the Cabell County Commission has neither fiscal nor administrative oversight over the CHHD. We contacted the West Virginia Attorney General for guidance and were informed the CHHD is not a state agency. The CHHD Administrator informed us that the Prosecuting Attorney is the CHHD's statutorily appointed lawyer. The only statute we can find is W. Va. Code § 7-4-1 [2017] which is ambiguous at best. Thus, with the uncertainty of our authority and the desire to protect and preserve the interests of the CHHD, we shut down processing of additional documents. I personally contacted you on or about February 12, 2020, and offered my legal services for the limited scope to complete the document review. I received no response. Yesterday, I was informed by defense counsel that the CHHD declined my offer.

Consequently, I have possession of some 75,000 electronic documents which have not been processed, reviewed nor disclosed. Please advise whether the CHHD wishes me to (a) destroy the electronic documents (b) return the electronic documents or (c) disclose the electronic documents to the defendants. Document disclosure closes on April 30, 2020.

Time is of the essence. Please respond promptly.

Paul T. Farrell, Jr., Esq.

FARRELL LAW
P.O. Box 1180
Huntington, WV 25714-1180

422 Ninth Street, 3rd Floor
Huntington, West Virginia 25701
phone: 304.654.8281
email: paul@farrell.law

"Facts are stubborn things."

-John Adams
President of the United States.
Trial lawyer

From: Paul Farrell

Sent: Wednesday, February 12, 2020 4:00 PM

To: kbryson@cabellcounty.org

Subject: FW: CHHD Agreement

Paul T. Farrell, Jr., Esq.

FARRELL LAW
422 Ninth Street, 3rd Floor
Huntington, WV 25701
phone: 304.654.8281
email: paul@farrell.law

"Facts are stubborn things."

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President of the United States.
Trial lawyer.